

Arizona State Board for Charter Schools

February 10, 2003

Arizona Department of Education

Room 417

1535 West Jefferson

Phoenix, AZ 85007

MINUTES

Members Present

Onnie Shekerjian – President

Mary Gifford – Superintendent’s Designee

Mary Lynn Kelly—Business Member

Sally Kur – Public Member

Kimberly Mosher—Public Member

Members Absent

Kurt Davis– Vice President

Dan Diethelm—Public Member

Cookie Goddard – Public Member

Steve Twist – Business Member

Senator Linda Aguirre – Advisory

Representative John Huppenthal – Advisory

Representative Ted Carpenter—Advisory

Onnie Shekerjian called the meeting to order at approximately 9:25 a.m.

Agenda Item A – Pledge of Allegiance

Agenda Item B – Moment of Silence

Agenda Item C – Roll Call: Traci Sawyer called the roll and confirmed a quorum.

Agenda Item D— Superintendent’s Report

Superintendent’s Designee Gifford informed the Board that 81 schools had reduced or no payments in January. The School Finance Unit processed an off-cycle payment at the end of January. Various issues can account for the payment issues and the Superintendent will be forming a committee of business managers to discuss these issues.

Doug Nick, the Associate Superintendent for Federal Relations, updated the Board on the Superintendent’s activities regarding federal affairs. Mr. Nick stated that the Superintendent, on a 3 day trip to Washington D.C., had 37 meetings regarding issues such as NCLB, federal grants, and the Pastor amendment. In addition, the State’s Accountability Plan has been submitted and waits peer review. Mr. Nick feels confident in the approval of this plan. Other upcoming legislation involves the reauthorization of IDEA.

Agenda Item E – Executive Director’s Report

1. Kristen provided the Board with information regarding the Agency’s budget. Specifically, the budget has been reduced 30% over the last eighteen months. Kristen informed the Board that she has testified before the Senate and House Sub-Committee three times regarding the logistics of the proposed consolidation plan, the JLBC budget, and self funding.
2. The Board discussed calling a special meeting to discuss the budget proposals and other legislation issues. Further discussion of the consolidation plan and other legislative issues was tabled.
3. Kristen updated the Board on the roundtable hosted by the State Board of Education with the deans of the various universities to discuss certification of teachers. President Shekerjian and Vice President Davis were also in attendance. Christy Farley, Executive Director for the State Board of Education, informed the Board that this was the first step in on-going communication.
4. Kristen informed the Board that she and staff have participated in various presentations and discussions with Valley Leadership, AASBO, and ABEC, and have been invited to participate in the ASU State Forum and Northwest Regional Educational Lab.

Agenda Item F– Consent Agenda

1. Challenge Charter School—Changes in the wording of charter school contract including revisions to the mission statement, goals of the school & population to be served, and additional wording changes.
2. Life Skills Center of Arizona—Request for exception to USFRCS & Procurement.
3. TAG Elementary, Inc.—Change in legal status and corporate name of charter operator.

MOTION

Motion made by Mary Lynn Kelly to approve all consent agenda items. Motion seconded by Mary Gifford.

Motion passed unanimously

Agenda Item G—School Improvement Plans

1. Discussion and possible action on the presentation of the School Improvement Plans (A.R.S. 15-241).
 - a. American Heritage Academy
Steve Anderson, the charter representative for American Heritage Academy, expressed concern about the misinterpretation of the data and the label itself. Mr. Anderson expressed

concern about the Board changing their position and holding charter schools accountable to the same standards as public education and not for the terms outlined in the charter contract. Mr. Anderson would like to be held accountable for the mission not the AIMS test.

- b. Arizona Agribusiness and Equine Center
Linda Proctor Downing, the charter representative for AAEC, expressed concerned about the public perception of the underperforming label. She stated that the underperforming label for AAEC was caused by data not being accurately reflected in SY 2000 for each campus.
- c. Benjamin Franklin Charter School
- d. Center for Academic Success
Dr. Denno spoke on behalf of CAS. She expressed that they are working to track the missing data for 2000 with Ildy from ADE and found the improvement plan process to be helpful.
- e. Destiny High School
- f. EAGLE Academy
- g. Eagle's Aerie Charter School
- h. Excalibur Charter High School
- i. Excel Education Centers
- j. Future Development Educational & Performing Arts Academy
- k. International Commerce Institute
David Curd, the charter representative, shared that there needs to be an adult high school designation. Because of the population served, he'll never have baseline data.
- l. JWJ Academy
- m. Lake Powell Academy
- n. Learning Crossroads Basic Academy
- o. Liberty Traditional Charter School
- p. NFL YET Academy
- q. Northern Arizona Academy for Career Development
- r. Phoenix Advantage Charter School
- s. Pimeria Alta Charter School
- t. Renaissance Academy
- u. Scottsdale Horizons
- v. Teen Choice Leadership Academy
- w. Tertulia: A Learning Community
- x. Tucson Urban League, Inc.
- y. Vision High School
- z. Westwind Academy

2. Testimony from schools that failed to submit a School Improvement Plan on the reasons that the plan has not yet been submitted (A.R.S. 15-241).

- a. AmeriSchools Academy
The school was moved to item G. 1. Anita Mendoza spoke on behalf of this school. AmeriSchools had two sites labeled as underperforming because student data was merged between sites. The school improvement plan was submitted in a timely manner for one site. The other site is no longer in operation. No plan was required.
- b. Downtown Arts Academy
Frank DiPietro stated that the school did submit a plan on time, but not in the format required. The plan is to submit an addendum that will be complete by the end of the week.
- c. Paramount Academy
Dale Klien spoke on behalf of the school. He is looking for clarification of the label. Is willing to submit a plan if he needs to, but wants clarification on label.

Agenda Item H– Action Items

1. New Applications-discussion and possible action on the following applications and requests for a charter:

- a. Academy Adventure Primary School—Mary Ann Penczar

MOTION

Motion made by Mary Gifford to table the application until the applicant submits within one week: Documentation supporting an increase in the number of board members to avoid conflicts of open meeting law. Defined corporate structure and formalize with the Arizona Corporation Commission. Changes in the corporate structure should be reflected on an organizational chart. Clarification of the effectiveness goals so that the measurement criteria are defined with specific results. Clarification of the student to teacher ratios. Motion seconded by Mary Lynn Kelly.

Motion passes unanimously

The following motions occurred after the consideration of Academy of Building Industries, Inc. but were placed here in an effort to keep motions regarding this school together.

MOTION

Mary Gifford withdrew original motion regarding **Academy Adventures**. Mary Lynn Kelly accepts withdrawal.

Motion passes unanimously

MOTION

Motion made by Mary Gifford to accept the application and grant the charter of **Academy Adventures** contingent upon staff receipt of: Documentation supporting an increase in the number of board members to avoid conflicts of open meeting law. Defined corporate structure and formalize with the Arizona Corporation Commission. Changes in the corporate structure should be reflected on an organizational chart. Clarification of the effectiveness goals so that the measurement criteria are defined with specific results. Clarification of the student to teacher ratios. Elimination of the exceptions page from the application – no exceptions were granted at this time. Motion seconded by Sally Kur.

Motion passes unanimously

- b. Academy of Building Industries, Inc.—John Caponetto

MOTION

Motion made by Mary Lynn Kelly to accept the applications and grant the charter contingent upon clarification of AIMS. Motion seconded by Mary Gifford.

Motion passes unanimously

- c. Berean Schools—Kathleen E. Pace

MOTION

Motion made by Mary Lynn Kelly to accept the application and grant the charter, restricting the charter to one campus and grades K-8 only for first year. Motion seconded by Onnie Shekerjian.

Motion passes

3 aye, 2 no (Gifford and Kur)

- d. Bradley Academy of Excellence—Tanya L. Burston

MOTION

Motion made by Mary Lynn Kelly to accept the application and grant the charter with an addendum that names the board of directors. Motion seconded by Sally Kur.

Mary Lynn Kelly withdraws motion, second agrees.

MOTION

Motion made by Mary Gifford to table **Bradley Academy** so that the applicant may return with board of directors for decision at the March meeting. Motion seconded by Mary Lynn Kelly.

Motion passes unanimously

- e. Champion Charter—Connie Ann Krogulecki Crowley

MOTION

Motion made by Mary Gifford to accept the application and grant the charter. Motion seconded by Kimberly Mosher.

Motion passes unanimously

- f. Early Beginning—Clarice Nelson

MOTION

Motion made by Mary Lynn Kelly to reject the application based on an incomplete curriculum, inconsistent organizational structure, holes in the budget, and operating at a deficit. Motion seconded by Sally Kur.

Motion passes unanimously

- g. Elite's Preparatory Academy—Barbara J. Reaves

MOTION

Motion made by Mary Gifford to reject the application because of a lack of unit lesson plans for reading, writing and math. Motion seconded by Sally Kur.

Motion passes unanimously

- h. Meta Academy—Al Rumsey

MOTION

Motion made by Mary Gifford to accept the application and grant the charter, with the clarification that the school will begin providing instruction in 2004. Motion seconded by Sally Kur.

**Motion passes
4 aye, 1 no (Kelly)**

- i. Patagonia Montessori Middle School—Patricia O'Dea

MOTION

Motion made by Mary Lynn Kelly to accept the application and grant the charter.

Motion fails for lack of a second

Motion made by Mary Lynn Kelly to accept the application and grant the charter.

Motion fails for lack of a second

Motion made by Mary Gifford to reject the application because the application is redundant and already exists. Motion seconded by Kimberly Mosher.

**Motion passes
4 aye, 1 no (Kelly)**

2. Transfer/Assignment of Charter Contract--discussion and possible action on the request to transfer/assign charter contract from Excel Education, Inc. to the following for all school sites:

- a. Excel Education Centers-Chino Valley, LLC
- b. Excel Education Centers- Cottonwood, LLC
- c. Excel Education Centers-Flagstaff, LLC
- d. Excel Education Centers-Fort Mohave, LLC
- e. Excel Education Centers-Prescott, LLC
- f. Excel Education Centers-Prescott Valley, LLC
- g. Excel Education Centers-San Carlos, LLC

MOTION

Motion made by Mary Gifford to accept the transfers and assignment of the charter contracts. Motion seconded by Mary Lynn Kelly.

Motion passes unanimously

3. Central Arizona Charter School Application—
Discussion and possible action on the applicant's request that the Board reconsider the Staff's decision that the application was incomplete.

MOTION

Motion made by Mary Gifford to reject the request to reconsider the applicant's request. Motion seconded by Sally Kur.

Motion passes unanimously

Agenda Item I—Additional Action Items:

1. C.I. Wilson Academy II, South Mountain College Preparatory, & Phoenix College Preparatory—
a. The Board will receive information regarding the charter schools and information to determine whether evidence exists that C.I. Wilson Academy II, South Mountain College Preparatory, and Phoenix College Preparatory is in breach of one or more provisions of its charter including but not limited to non-compliance with special education.
b. Discussion and possible action under the schools' charter contracts. If the Board determines that a breach may have occurred, the Board may take action as it deems appropriate or necessary under state law and the charter contract, which may include, but is not limited to, proceeding to revocation of the charter, withholding of state aid, and further hearing.

MOTION

Motion made by Sally Kur to affirm the Board's Motion of July 8, 2002 withholding 10% of the monthly apportionment of C.I. Wilson Academy II, South Mountain College Preparatory, and Phoenix College Preparatory for their non-compliance with special education laws and rules. The withholding shall continue until those schools come into substantial compliance with special education laws and rules, which the board defines to mean: 1. The schools shall submit by March 13, 2003, the 45-day items as described in the February 3, 2003 letter from Bobbie Orlando of Exceptional Student Services (ESS) and that these items will meet the requirements as defined by ESS; and 2. The school shall contract with a special education monitor approved by ESS. The Board grants the authority to the Executive Director to make the request to the State Board of Education to restore the full amount of state aid payments to the schools upon the schools' compliance as stated. Motion seconded by Mary Gifford.

Motion passes unanimously

2. Renaissance Academy and Renaissance Educational Consortium—Discussion and possible action on the Notice of Intent to Revoke the Charter of Renaissance Academy and Renaissance Educational Consortium, the proposed Agreement Resolving Issues and Consent Decree, and related issues (OAH Case Number 02A-RV001-BCS).

MOTION

Motion made by Mary Gifford to accept the proposed Agreement Resolving Issues and Consent Decree and contact OHA regarding resolution of case. Motion seconded by Sally Kur.

Motion passes unanimously

Agenda Item J— Approval of Minutes:

MOTION

Motion made by Mary Gifford to approve the minutes for the January 13, 2003 meeting. Motion seconded by Sally Kur.

Motion passed unanimously

Agenda Item K—Call to the Public

Vicky Christensen, the charter representative for Mohave Acceleration High School, informed the Board that they are building a new energy efficient school. In addition Ms. Christensen introduced one of her teachers, who is an award winning filmmaker, who will be teaching a film class for her students.

Agenda Item L—Adjournment

MOTION

Motion made by Mary Lynn Kelly to adjourn the meeting. Motion seconded by Sally Kur.

Motion passed unanimously

The meeting adjourned at approximately 4:40 pm

Signature

Date